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the development of the photographic plates which had then been taken; but, as this had been done before the court rendered its decision, it held that it would then be only a moot question, which it would not decide.

Betting on Crap Games.—Cheatham Parks appears to have been addicted to the habit of putting up money on "craps." Whether his first name led him to such evil deeds, or whether it was derived from his occupation, we are not told, but certain it is that the Texas courts convicted him of betting on a game of craps in violation of a statute in such case made and provided. Subsequently he was rearrested, tried, and convicted for another bet on the same game, and interposed a plea of former jeopardy, but to no avail. The Texas Court of Criminal Appeals in *Parks v. State*, 123 Southwestern Reporter, 1109, upheld the decision of the trial court, saying that, notwithstanding it may have been a continuous game, the law made each bet a distinct and separate offense.

Unenforceable Antenuptial Contract.—The St. Louis Court of Appeals in *Brewer v. Cary*, 127 Southwestern Reporter, 685, holds unenforceable an antenuptial contract providing that the children born of the marriage shall be baptized and educated in the faith of the Roman Catholic Church even if the wife should die. The court, following a long line of decisions, holds the contract unenforceable, since no property rights are involved, because public policy forbids permanent transfer of the natural rights of a parent, since only a moral duty is involved, and because, when the question of a child's welfare turns on the direction of its training and upbringing in one belief or another, equity courts have no power.

Right of Accused to Be Confronted with Witnesses.—Where a deposition, in a homicide case, was taken before an examining magistrate, and accused was confronted with the witness, and had, and availed himself of, full opportunity for cross-examination the Supreme Court of Michigan in *People v. Droste*, 125 Northwestern Reporter, 87, held that the constitutional right of an accused person to be confronted with the witnesses against him was not violated when the trial court admitted the deposition, it appearing that the witness was about to be confined, and therefore unable to attend and give her testimony.

Liability of Railroad for Theft.—Defendant carrier in the case of *Hasbrouck v. New York Cent. & H. R. R. Co.*, 122 New York Supplement, 123, contends that plaintiff, a passenger, in surrendering her suit case to a trainman before she arrived at a station, and permitting him to have it in his custody before she alighted, consti-